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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

LONGBOTTOM ET AL.

Atty. Ref.: 620-451

Serial No. 10/589,872

Group: Unknown

Filed: August 18, 2006

Examiner: Unknown

For: METHOD, APPARATUS AND KIT FOR BREATH  
DIAGNOSIS

\* \* \* \* \*

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

March 22, 2007

Sir:

INFORMATION DISCLOSURE STATEMENT

1. **PTO-1449 Pursuant to 37 CFR 1.97(b)**  
[within 3 months of filing or prior to 1st Office Action on the merits] **N/C**

2.(a) **Statement Pursuant to 37 CFR 1.97(c)**  
[before Final Office Action or Allowance (requires Rule 97(e)  
Statement or Rule 17(p) fee)] **N/C**

2 .(b) **Fee Payment Pursuant to 37 CFR 1.97(c)**  
[before Final Office Action or Allowance (requires Rule 97(e)  
Statement or Rule 17(p) fee)] **\$180.00**

3. **Pursuant to 37 CFR 1.97(d)**  
[after Final Office Action or Allowance (requires Rule 97(e)  
Statement and Rule 17(p) fee), but before final fee payment] **\$180.00**

The following are submitted in the above-identified application in compliance with 37 C.F.R. §§ 1.97 and 1.98:

4. A list of documents on Form PTO-1449 together with copies of each identified document and a translation or a concise explanation of each non-English language document (such as a Search Report) is enclosed herewith.

This paper is submitted in accordance with:

5. 37 CFR 1.97(b): [within 3 months of filing or prior to 1st Office Action]

6. 37 CFR 1.97(c): [before Final Office Action or Allowance, whichever is earlier]; and

a) The required Statement made in item 8 below; or

b) The \$180.00 fee specified in 37 CFR §1.17(p) for submission of this Information Disclosure Statement is authorized in item 9 below.

7. 37 CFR §1.97(d): [after Final Office Action or Allowance (requires Rule 97(e) Statement and Rule 17(p) fee), but before final fee payment]; and

a) The fee (\$180.00) required by 37 CFR §1.17(p) is submitted herewith; and

b) The required Statement is stated in item 8 below.

8. Statement under 37 CFR 1.97(e)

a) The undersigned attorney of record hereby certifies under 37 C.F.R. §1.97(e) that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement (each item contained in this IDS was the first citation of that item by a foreign patent office in a counterpart foreign application which occurred no more than three months prior to the filing of this IDS); or

b) No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this Statement, after making reasonable inquiry, no item of information contained in this Statement was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

9. Please charge all deficiency fees associated with the submission of this Information Disclosure Statement and any other fees applicable to this application to Deposit Account No. 14-1140. An original and one (1) copy of this document are enclosed.

Respectfully submitted,  
NIXON & VANDERHYE P.C.

By: 

B. J. Sadoff

Reg. No. 36,663

901 North Glebe Road, 11th Floor  
Arlington, VA 22203-1808  
Telephone: (703) 816-4000  
Facsimile: (703) 816-4100

INFORMATION DISCLOSURE  
CITATION

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620-451

SERIAL NO.

10/589,872

APPLICANT

LONGBOTTOM ET AL.

FILING DATE

August 18, 2006

GROUP

Unknown

## U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
/K.M./	US 2004/0164237	08/2004	Jones			
	US 5,376,555	12/1994	Forrester			
	US 6,274,870	08/2001	Kubo			
	US 4,907,166	03/1990	Corenman			
	US 6,038,913	03/2000	Gustafsson			
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	US 6,274,879	08/2001	Best-Timmann			
	US 5,770,793	06/1998	Stock			
	US 5,479,815	01/1996	White			
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	US 6,428,483	08/2002	Carlebach			
	US 5,386,833	02/1995	Uhen			
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	US 6,358,215	03/2002	Ricciardelli			
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	US 6,099,480	08/2000	Gustafsson			
	US 5,731,581	03/1998	Fischer			
	US 6,010,459	01/2000	Silkoff			

\*Examiner /Keri Moss/

Date Considered

10/01/2008

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to application.

Form PTO-FB-A820 (Also PTO-1449)

INFORMATION DISCLOSURE CITATION		ATTY. DOCKET NO. 620-451 APPLICANT	SERIAL NO. 10/589,872					
(Use several sheets if necessary)		LONGBOTTOM ET AL.						
		FILING DATE August 18, 2006	GROUP Unknown					
U.S. PATENT DOCUMENTS								
*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE		
/K.M./	US 5,533,512	07/1996	Novotny					
	US 5,282,473	02/1994	Braig					
	US 2002/0151814	10/2002	Payne					
FOREIGN PATENT DOCUMENTS					TRANSLATION			
	DOCUMENT	DATE	COUNTRY	CLASS	SUBCLASS	YES	NO	
	GB-A-2295679	06/1996	Great Britain					
	GB-B-2347999	11/2001	Great Britain					
	EP-A-1206948	05/2002	Europe			X		
	EP-A-1378743	01/2004	Europe					
	EP-B-0551142	09/1997	Europe					
	EP-B-0648088	08/2001	Europe					
	EP-B-0699414	03/1996	Europe					
	DE-A-3640035	05/1988	Germany			X		
	DE-19911325	07/2000	Germany			X		
	WO 98/39470	09/1998	WIPO					
	WO 98/57145	12/1998	WIPO					
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	Search Report for GB 0403612.5 dated 29 July 2004							
	VON BASUM et al, "Online recording of ethane traces in human breath via infrared laser spectroscopy", J Appl Physiol 95: 2583-2590, 2003							
↓	DAHNKE et al, "Real-time monitoring of ethane in human breath using mid-infrared cavity leak-out spectroscopy", Applied Physics B: Lasers and Optics, Volume 72, Number 8, June 2001, Pages 971-975							
/K.M./	HERRIOT et al, "Folded optical delay lines", 1965, Appl. Optics, 4, 883							
*Examiner /Keir Moss/		Date Considered 10/01/2008						

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to application.

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